



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Assembly

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Tuesday, May 1, 2018

6:00 PM

Assembly Chambers

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### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### INVOCATION

*Any invocation that may be offered at the beginning of the assembly meeting shall be a voluntary offering of a private person, to and for the benefit of the assembly. No member of the community is required to attend or participate in the invocation.*

[Clerk's Note: The invocation was given by Assembly President Ogle.]

### ROLL CALL

### COMMITTEE REPORTS

### F. APPROVAL OF AGENDA AND CONSENT AGENDA

*(All items listed with an asterisk (\*) are considered to be routine and non-controversial by the Assembly and will be approved by one motion. Public testimony will be taken. There will be no separate discussion of these items unless an Assembly Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.)*

### G. APPROVAL OF MINUTES

[KPB-1709](#) April 17, 2018 Regular Assembly Meeting Minutes

Attachments: [041718 Regular Assembly Meeting Minutes](#)

### COMMENDING RESOLUTIONS AND PROCLAMATIONS

[KPB-1637](#) A Resolution Commending Linda Swarner for her Devoted Service to the Residents of the Kenai Peninsula Borough (Smalley)

Attachments: [Commending Resolution - Swarner](#)

[KPB-1659](#) Mayor's Proclamation declaring May, 2018 as "National Water Safety Month"

Attachments: [Mayor's Proclamation](#)

[KPB-1683](#) Mayor's Proclamation declaring May 1, 2018 "Sterling Homesteaders Day"

Attachments: [Mayor's Proclamation](#)

## PRESENTATIONS WITH PRIOR NOTICE

*(20 minutes total)*

[KPB-1660](#) Central Peninsula General Hospital, Inc. Quarterly Report (10 Minutes)

Attachments: [Quarterly Report](#)

[KPB-1661](#) Dr. Keith Hamilton, President, Alaska Christian College - Update (10 Minutes)

Attachments: [Hamilton Presentation](#)

## PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

*(3 minutes per speaker; 20 minutes aggregate)*

## MAYOR'S REPORT

Mayor's Report Cover Memo

[KPB-1670](#) Mayor's Report Memo

Attachments: [Mayor's Report Memo](#)

1. Assembly Requests/Responses - None.
2. Agreements and Contracts
  - a. [KPB-1671](#) Authorization to Award a Contract for RFP 18-003 Summer & Winter Road Maintenance for North Region, Unit 1, West Region, Units 2 & 7, Central Region, Unit 5, East Region, Unit 2 and South Region, Unit 5:

Region/Unit East 2, AG & BLD Supply, Hope, Alaska  
Region/Unit West 2, River City Construction, Soldotna, Alaska  
Region/Unit West 7, Best Transit Mix, Soldotna, Alaska  
Region/Unit Central 5, Best Transit Mix, Soldotna, Alaska  
Region/Unit North 1, Best Transit Mix, Soldotna, Alaska  
Region/Unit South 5, Paul's Services, Anchor Point, Alaska

Attachments: [Authorization to award contract for RFP 18-003](#)

- b. [KPB-1673](#) Authorization to Award a Contract for ITB 18-014 Wyoh Way, Maria Road, Langhus Street South, & Cana Court Project No. S8WYO to East Road Services Inc., Homer, Alaska  
*Attachments:* [Authorization to award contract for ITB 18-014](#)
- c. [KPB-1674](#) Authorization to Award a Contract for RFP 18-001 External Audit Services to BDO USA LLC., Anchorage, Alaska  
*Attachments:* [Authorization to award contract for RFP 18-001](#)
- d. [KPB-1675](#) Authorization to Award a Contract for ITB 18-013 Morning Circle Project No. N1MOR to G&H Construction, Kenai, Alaska.  
*Attachments:* [Authorization to award contract for ITB 18-013](#)
3. Other
- a. [KPB-1676](#) Project Reports - March 31, 2018  
*Attachments:* [Project Reports - March 2018](#)
- b. [KPB-1677](#) Revenue - Expenditure Report - March 2018  
*Attachments:* [Revenue - Expenditure Report - March 2018](#)
- c. [KPB-1678](#) Budget Revisions - March 2018  
*Attachments:* [Budget Revisions - March 2018](#)
- d. [KPB-1679](#) FY18 - 3Q Senior Center Grant Reports  
*Attachments:* [FY18-3Q Senior Center Grant Reports](#)
- e. [KPB-1680](#) FY18-3Q Economic Development Grant Reports  
*Attachments:* [FY18-3Q Economic development Grant Reports](#)

## ITEMS NOT COMPLETED FROM PRIOR AGENDA

## PUBLIC HEARINGS ON ORDINANCES

*(Testimony limited to 3 minutes per speaker)*

Ordinances referred to Finance Committee

[2017-19-21](#) An Ordinance Providing for an Exception to KPB 5.20.080 and Transferring \$3,000,000 from the Land Trust Fund to the General Fund (Mayor) (Reconsideration Given by Fischer)

**Attachments:** [O2017-19-21](#)  
[Memo](#)  
[Public Comment 051518](#)  
[Public Comment 050118](#)  
[Public Comment 041718](#)  
[Public Comment 030118](#)  
[Amendment Memo \(Dealt with on 05/01/18\)](#)  
[Amendment Memo \(Dealt with on 04/03/18\)](#)

[2017-19-25](#) An Ordinance Accepting and Appropriating \$521,569.64 from the U.S. Department of Transportation, Western Federal Lands Highway Division to Extend a Portion of the Kenai Spur Highway within the Borough Right-of-Way (Mayor)

**Attachments:** [O2017-19-25](#)  
[Memo](#)  
[Service Area Board Recommendations](#)  
[Funds Request](#)

[2018-12](#) An Ordinance Increasing the Borough Sales Tax Rate from 3.0 Percent to 3.5 Percent by Amending KPB 5.18.100, Subject to Approval by the Voters in the Regular Election on October 2, 2018 (Cooper, Smalley)

**Attachments:** [Ordinance 2018-12](#)  
[Memo](#)  
[Sales Tax Rates](#)  
[Fiscal Note](#)  
[eComment 060518](#)  
[eComment 040318](#)  
[Public Comments 040318](#)  
[Cooper Amendment and Revised Fiscal Note \(Dealt with on 05/15/18\)](#)  
[Amendment Memo \(Dealt with on 05/15/18\)](#)  
[Blakeley Amendment Memo \(Dealt with on 04/03/18\)](#)

Ordinances referred to Lands Committee

[2018-18](#)

An Ordinance Authorizing the Negotiated Sale of Two Tax Foreclosed Retained Parcels to the Last Record Owners at an Amount Equal to Taxes, Fees, Penalties and Interest (Mayor)

*Attachments:*[O2018-18](#)[Planning Commission Recommendations](#)[Memo](#)[Plat KN1018](#)[Plat HM97-42](#)[Request to Purchase](#)

Ordinances referred to Policies and Procedures Committee

[2018-16](#)

(Bagley) Substitute: An Ordinance Amending the Code to Move the Common Boundary Between the Central Kenai Peninsula Hospital Service Area and the South Kenai Peninsula Hospital Service Area South, Subject to Approval by Voters in the Central Kenai Peninsula Hospital Service Area and the Proposed New Area, and to Expand the South Kenai Peninsula Hospital Service Area to Include the Land South Of Kachemak Bay Excluding the City Of Seldovia, Subject to Voter Approval

**Attachments:**[Ordinance 2018-16 SUB](#)[Memo SUB](#)[Public Hearing Summary 071118](#)[SUB SPH Patient Data](#)[Service Area Board Recommendation](#)[SUB Amendment Memo](#)[Ordinance 2018-16 \(amended by Bagley Sub\)](#)[Bagley Amendment](#)[Amendment Memo](#)[SUB Potential Boundry Results and Voter Results Required](#)[Public Comment 061918](#)[Summary of SPH Revenue Impacts](#)[South Peninsula Hospital Resolution 2018-05](#)[Ninilchik Traditional Council Resolution 2018-03](#)[04/26/18 Ninilchik Public Hearing Minutes](#)[04/26/18 Ninilchik Public Hearing Audio](#)[eComments 061918](#)[Public Comment 051518](#)[Public Comments 050118](#)[eComments 050118](#)[Ninilchik Visits to South Peninsula Hospital](#)[Memo](#)[Service Area Board Resolution](#)[Service Area Board Resolution 061418](#)[Boundary Line Move Map](#)[Map Requested by Dunne](#)[Revenue Impacts Requested by Dunne](#)[Public Comments 040318](#)[Cooper/Dunne Request for Postponement \(Dealt with on 05/01/18\)](#)

[2018-17](#) An Ordinance Amending KPB 5.35.155 and KPB 14.31.145 to Authorize the Mayor to Accept Late-Filed Applications for a Deferred Payment of Principal for a Utility Special Assessment or Road Improvement Assessment District (Mayor)

Attachments: [O2018-17](#)  
[Memo](#)

## UNFINISHED BUSINESS - None.

## NEW BUSINESS

### Resolutions

Resolutions referred to Finance Committee

[2018-022](#) A Resolution Determining the Amount to be Provided from Local Sources for School Purposes During Fiscal Year 2019 and Approving the Kenai Peninsula Borough School District Total Budget (Mayor)

Attachments: [R2018-022](#)  
[Cooper Amendment](#)  
[Memo](#)  
[Superintendent Letter to Assembly](#)

[2018-024](#) A Resolution Authorizing the Kenai Peninsula Borough to Participate in the Alaska Municipal League Joint Insurance Association's Loss Control Incentive Program for Fiscal Year 2018 (Mayor)

Attachments: [R2018-024](#)  
[Memo](#)

[2018-023](#) A Resolution Authorizing the Kenai Peninsula Borough to Participate in the Alaska Municipal League Joint Insurance Association's Loss Control Incentive Program for Fiscal Year 2019 (Mayor)

Attachments: [R2018-023](#)  
[Memo](#)

### 2. Ordinances for Introduction

Ordinances for Introduction and referred to the Finance Committee

[2017-19-26](#) An Ordinance Approving and Appropriating Grant Funds Totaling \$14,179.14 from the Alaska Department of Natural Resource for the Volunteer Fire Assistance Program on Behalf of Kachemak Emergency Services and Nikiski Fire Service Area (Mayor)

*Attachments:* [O2017-19-26](#)  
[Memo](#)  
[Grant Awards](#)

[2018-19](#) An Ordinance Appropriating Funds for Fiscal Year 2019 (Mayor)

[Clerk's Note: A teleconference site will be established at the Borough Office in Homer in order to take public testimony on the above referenced Ordinance.]

*Attachments:* [Ordinance 2018-19](#)  
[Smalley Budget Amendment 060518](#)  
[Dunne Budget Amendment](#)  
[Bagley Budget Amendment](#)  
[Amendment Memo](#)  
[Pg. 53 Budget Doc - General Fund](#)  
[Memo](#)  
[Budget Presentation to Assembly](#)  
[FY19 Proposed Budget](#)  
[Emergency Services Org Chart and Job Descriptions](#)  
[Public Comments 061918 VETO](#)  
[Public Comment 060518](#)  
[eComment 060518](#)  
[Public Comments 051518](#)  
[eComment 051518](#)  
[Public Comment](#)  
[Smalley Budget Amendment \(Dealt with on 051518\)](#)  
[Bagley Budget Amendments \(Dealt with on 051518\)](#)  
[Mayor's Veto KPTMC \(Action Item KPB-1770 Dealt with 07/06/18\)](#)  
[Mayor's Veto School Funding \(Action Item KPB-1771 Dealt with 07/06/18\)](#)  
[Summary of Debt by Issuance Date](#)

[2018-20](#) An Ordinance Amending KPB 5.18.200 to Amend the Seasonal Exemption from Sales Taxes of Nonprepared Food Items to Apply from October 1 to March 31 of Each Year (Bagley)

**Attachments:** [Ordinance 2018-20](#)  
[Bagley Amendment 061918](#)  
[Memo](#)  
[Public Comment 060518](#)  
[Bagley Amendment \(delt with on 06/05/18\)](#)

### 3. Other

Other items referred to Finance Committee

[KPB-1663](#) Requesting Formal Assembly Protest to the Renewal of Liquor License due to Unpaid Taxes for Young's Downtown Restaurant & Inn (City of Homer)

**Attachments:** [Protest Memo to Assembly](#)  
[Protest Renewal - Young's Downtown Restaurant & Inn](#)

Other items referred to Policies and Procedures Committee

[KPB-1681](#) Confirming an Appointment to the Road Service Area Board (Mayor)  
  
Mike Tauriainen, At-Large Seat, Term to Expire September 30, 2019

**Attachments:** [Road Service Area Board Application](#)

## **PUBLIC COMMENTS AND PUBLIC PRESENTATIONS**

### **ASSEMBLY MEETING AND HEARING ANNOUNCEMENTS**

1. April 30, 2018 AK LNG Project Advisory Committee  
7:00 PM Nikiski Community Recreation Center
2. May 9, 2018 Material Site Work Group  
2:00 PM Assembly Chambers, Soldotna, Alaska
3. May 15, 2018 Regular Assembly Meeting  
6:00 PM Assembly Chambers, Soldotna, Alaska

### **ASSEMBLY COMMENTS**

### **S. PENDING LEGISLATION**

*(This item lists legislation which will be addressed at a later date as noted.)*

1. [2018-021](#) A Resolution Requesting the Department of Transportation and Public Facilities Reduce the Speed Limit Between Mileposts 50.8 and 52.8 of the Sterling Highway to 35 Miles Per Hour (Carpenter)

Attachments: [R2018-021](#)  
[Carpenter Amendment](#)  
[Memo](#)  
[Map](#)  
[Response Letter from Alaska DOT](#)

2. [2017-31](#) An Ordinance Approving McKinley Single-Family Residential R-1 Local Option Zoning District and Amending KPB 21.46.040 (Mayor) [Tabled on 01/16/18]

Attachments: [Ordinance 2017-31](#)  
[Planning Request to Table](#)  
[Memo](#)  
[Staff Report](#)  
[Local Option Zoning District Application](#)  
[Planning Commission Recommendation \(Dealt with on 12/05/17\)](#)  
[Request for Postponement \(Dealt with on 12/05/17\)](#)

## INFORMATIONAL MATERIALS AND REPORTS

## NOTICE OF NEXT MEETING AND ADJOURNMENT

*The next meeting of the Kenai Peninsula Borough Assembly will be held on May 15, 2018, at 6:00 P.M. in the Borough Assembly Chambers, Soldotna, Alaska.*

*This meeting will be broadcast on KDLL-FM 91.9 (Central Peninsula), KBBI-AM 890 (South Peninsula), K201AO-FM 88.1 (East Peninsula).*

*Copies of agenda items are available at the Borough Clerk's Office in the Meeting Room just prior to the meeting. For further information, please call the Clerk's Office at 714-2160 or toll free within the Borough at 1-800-478-4441, Ext. 2160. Visit our website at [www.borough.kenai.ak.us](http://www.borough.kenai.ak.us) for copies of the agenda, meeting summaries, ordinances and resolutions.*